

REMARKS

Applicant notes the allowance of Claim 1 and the indicated allowability of Claims 5 and 7-10. Restricted Claims 11-19 and 21-22 have been canceled without prejudice.

Figures 1a and 1b have been amended to designate the figures as prior art.

Claims 2, 3, 6, 23, and 24 stand rejected under Section 102 as anticipated by the patent to Debley et al. (U.S. Patent No. 5,529,671). Claims 4 and 20 stand rejected under Section 103 as obvious over Debley et al. in view of Kelley et al. (U.S. Patent No. 4,101,925).

Claims 2 and 23 have been amended to specify that the stand-by location is laterally spaced from the source deposition location. Debley et al. disclose a system wherein a sputter target 51 may be rotated to expose either material 51' or material 51" to the ion source 49. There is no disclosure or suggestion of providing an evaporator being "positionable at a source deposition location and at a stand-by location laterally spaced from the source deposition location, the stand-by location being laterally spaced from the ion source a distance greater than the distance the source deposition location is spaced from the ion source" as recited in amended Claim 2; or of "positioning a second evaporator at a standby position located within the chamber remote from the ion source" and "positioning the first evaporator at a standby position within the chamber remote from the ion source and laterally spaced from the source deposition position", and "positioning the second evaporator at the source deposition position laterally spaced from the stand-by position" as recited in amended Claim 23; or "shielding the one or more substrates from a second evaporator positioned at a standby location laterally spaced from

the source deposition location” as recited in Claim 24. Without providing such disclosure, Debley fails to anticipate or make obvious Claims 2, 23, and 24.

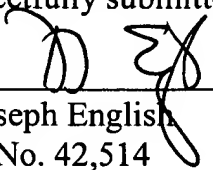
Dependent Claims 3, 4, 6, and 20 are patentable with Claim 2 without resort to the separate patentable limitations recited therein. Moreover, Kelley et al. is directed to forming thin films by spreading a molten single-crystal forming material on a substrate and growing the film. The rotation of the substrate is disclosed as significant in achieving uniform thickness of the film because the centrifugal force resulting from the rotation acts to evenly spread the molten material on the substrate surface. There examiner has failed to provide the relevance between the teaching of Kelley et al. and the method of sputter deposition taught by Debley et al. Thus there is no motivation to combine the references as asserted by the examiner.

Reconsideration and withdrawal of the rejection of Claims 2, 3, 4, 6, 20, 23, and 24 is solicited.

Consideration and allowance of new Claims 25-27 is solicited. No new matter has been added.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of

Serial No.: 09/902,250

Art Unit: 1762

Filed: July 10, 2001

Examiner: Eric B. Fuller

Title: HIGH THROUGHPUT HIGH-YIELD VACUUM DEPOSITION SYSTEM FOR
THIN FILM BASED DENSE WAVELENGTH DIVISION MULTIPLEXERS

LETTER TO OFFICIAL DRAFTSMAN

The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

Responsive to the Final Office Action dated October 8, 2004, applicants submits
herewith one (1) sheet of replacement drawings in the above-identified application. No
new matter has been added.

Respectfully submitted,

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